

## Office of Professional Accountability (OPA) Commendations & Complaints Report May 2004

### Commendations:

Commendation Received in May: 65

Commendations Received to Date: 313

Rank	Summary
Multiple Officers	During a recent high-profile trial, neighborhood residents were extremely concerned about the potential violence and disruption of services. Due to the excellent planning and support of Seattle police officers, no problems occurred.
(1) Officer	An officer responded to a 911 call and investigated a complaint. A thank you note was received for the officer's assistance when he resolved the difficult situation quickly with no further complications.
(14) Officers	Officers were on the scene of a bank robbery within seconds of it happening. The officers responded and containment was successful in catching the robbers. All of the officers displayed professionalism and teamwork.
(2) Officers	An out-of-state off-duty police officer commended two Seattle officers on their competence, controlled and disciplined response and professionalism when there was a brief encounter with a tourist.
(2) Civilians	Two Information Technology employees were instrumental in protecting the vast computer assets and IT network in the Department from a well-known "virus". Their ability to react instinctively and their attention to detail deserved recognition. The Department was able to function normally and most employees were never aware of the emergent situation.
(1) Detective (3) Officers (1) PEO	A parking enforcement officer observed a suspicious man enter a car, drive away erratically, collide with another vehicle and leave the scene without stopping. Through the interactions of everyone involved, the suspect was apprehended and arrested. It was later determined that the suspicious man was fleeing from a bank robbery.
(1) Lieutenant	A lieutenant participated at the Eighth Annual International Crime Mapping Research Conference. His participation contributed new ideas and fresh insights to practical and substantive issues addressing crime mapping.
(3) Lieutenants	A special thank you to three lieutenants was received commending them for their outstanding support with site security, intelligence and motorcades during a visit of a foreign dignitary.
(1) Officer	A man entered Police Headquarters and reported he was a citizen of another country and his money and identification were stolen, leaving him with nothing. The officer went above and beyond the call of duty and tried every resource to assist the individual. The officer even purchased a bus ticket for the individual to continue his journey.
Motorcycle Drill Team	Students at an elementary school sent an array of thank you letters to the motorcycle drill team thanking them for a performance at their school. The students had the opportunity to approach and speak with officers and look at the motorcycles. Students stated that they believed the police are "COOL".
(1) Officer	An officer received a thank you note for his care and concern for family members in an assault case. The officer's assistance was appreciated.
(1) Officer	A commendation was received for the special assistance an officer performed while off-duty. A car was on fire and the off-duty officer was able to control a very chaotic scene. The citizen appreciated his help.
(1) Sergeant (2) Officers	A sergeant and two officers provided excellent pro-active work and defused a volatile situation before it escalated at a local school. The community is aware of

	the good work and impact the officers have on safety issues.
(8) Officers	Officers responded to an in-progress theft. After a thorough search, the suspects were located and arrested.
(1) Officer	An officer showed compassion and assisted a confused citizen look for his vehicle. The officer could not locate the missing vehicle and drove the individual home. The vehicle was located the next day.
(1) Sergeant (4) Officers	An investigator from an insurance company complimented a sergeant and four officers on a fraud investigation. The documented facts and game plan concluded in an arrest. The officers were professional and effective with the investigation.
(1) Officer	A local attorney praised an officer's understanding and commitment to serving protection orders, in a timely manner and increased the safety of victims in domestic violence situations. The officer is an asset to the department.
(1) Officer	An officer was commended for his exceptional effort in catching a suspect in a home robbery invasion. The officer performed admirably and was calm, pleasant and patient while taking a statement.
(1) Sergeant	A sergeant received a commendation for his hard work on the recent accreditation of the department. The sergeant was very knowledgeable, articulate, had a positive attitude and required little or no direction.
(1) Officer	A detective provided a very professional and comprehensive presentation on sex offender issues at a local school's PTA meeting. The committee stated that they are thankful he chose to dedicate himself to this important and difficult career. The detective chose a well-balanced approach to public education, with appropriate perspective and awareness.
(2) Officers	A citizen lost control of his boat and ended up in the water, with the boat running away at trolling speed with no one on board. The Harbor Patrol responded to a 911-distress call and shortly recovered the boat. The officers were helpful, courteous, concerned and made sure that everything was all right.
(2) Officers	Two officers were commended for their thoroughness and professionalism in an investigation and ultimate arrest of a suspect in a sensitive matter. The officers displayed consideration and compassion to the victim during the investigation.
(1) Officer	Out-of-town visitors were enjoying the tourist attractions and became lost. They approached an officer and explained the situation and the officer gave directions, and also offered to escort them to their destination. The officer's community policing attitude was professional, articulate, informed and reflected a splendid representative of the Seattle Police Department. (The officer was unaware the visitor was a Chief of Police for another out-of-state city.)
(2) Detectives (1) Civilian	A family expressed their appreciation and thanks for all the efforts so many people in the department put forth in bringing a suspect to justice.
(1) Lieutenant (2) Sergeants	A letter of appreciation was received for a lieutenant and two sergeants. A local business hosted a conference in the area and would like to recognize the outstanding contributions and expertise of those who helped.
(2) Latent Print Examiners	Two latent print examiners worked on a case, one processed the scene for latent fingerprints. The other examiner followed up and positively identified the suspect. Their commitment and dedication allowed a quick resolution to this situation.
DUI Enforcement Team	Officers in the DUI Team received kudos' for the difficult assignment they have had in making the roadways safe for citizens. Officers stopped and arrested a total of 1012 motorists driving under the influence of alcohol or other drugs during a five-week period.

**MAY 2004 Closed Cases:**

*Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.*

*Cases are reported by allegation type. One case may be reported under more than one category.*

**UNNECESSARY FORCE**

Synopsis	Action Taken
The complainant alleged the named officers used unnecessary force during an arrest following a traffic stop.	The evidence as to the force was conflicting. Finding – NOT SUSTAINED. However, concerns about the tactics used, the stop, and the subsequent reports were raised with the officers' Chain of Command, who took corrective action. In addition, information gathered in the investigation was shared with the prosecuting authority and the Records Unit of SPD.
The complainant alleged that the named officer used unnecessary force when arresting him following an order to leave the area of a police investigation. It was further alleged that the officer used profanity.	The investigation showed that the complainant resisted the officers to some degree. The officer's decision to take the complainant to the ground was thus a lawful exercise of discretion. This force was documented, screened and reported. The evidence was conflicting, however, as to the forcefulness of the takedown. There was not a preponderance of evidence to establish that the force used was excessive. Finding – NOT SUSTAINED. The complainant could not recall what profanity was used. Finding as to Conduct Unbecoming an Officer – UNFOUNDED.

**MISUSE OF AUTHORITY**

Synopsis	Action Taken
It was alleged that the named officer conducted a retaliatory arrest, submitted evidence not discovered during the arrest, and refused to identify himself when asked.	The facts indicate that the subject was involved in an altercation with an unknown person in an alley. The named officer and two other officers arrived at the scene and detained the subject and the combatant. At one point during the investigation, the subject ran from the named officer. The involved officers and an independent witness at the scene dispute the subject's version of events. The subject and his companions gave conflicting accounts of the incident. Further, the subject was intoxicated. The independent witness confirms that the disputed evidence was on the subject's person at the time of the arrest. The timing and circumstances of the complaint provide some evidence that the allegations were malicious. Finding – ADMINISTRATIVELY UNFOUNDED.

**CONDUCT UNBECOMING AN OFFICER**

Synopsis	Action Taken
It was alleged that the named employee offered questionable testimony about the transport of the suspect during a 1999 robbery trial.	The investigation was not able to resolve the underlying conflict as to whether the named employee or a different employee transported the robbery suspect. There is evidence to support that a different officer in fact did the transport of the subject, but the evidence was not conclusive. In any event, there is not a preponderance of evidence to establish that the named employee knowingly

	falsified testimony at the time of trial. Finding – NOT SUSTAINED.
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**FAILURE TO TAKE APPROPRIATE ACTION**

<b>Synopsis</b>	<b>Action Taken</b>
It was alleged that the named officers failed to take appropriate action in response to an assault at a nightclub at which they were working as off-duty security.	The investigation showed that two of the named officers did not take appropriate law enforcement action at the scene. Finding – SUSTAINED.
The chain of command alleged that a 911 dispatcher failed to take appropriate action and was rude to a caller who wished to make a complaint.	Complaint investigation confirmed that the employee failed to follow procedure and spoke in a rude manner. Finding – SUSTAINED.

**Definitions of Findings:**

**“Sustained”** means the allegation of misconduct is supported by a preponderance of the evidence.

**“Not sustained”** means the allegation of misconduct was neither proved nor disproved by a preponderance of the evidence.

**“Unfounded”** means a preponderance of evidence indicates the alleged act did not occur as reported or classified, or is false.

**“Exonerated”** means a preponderance of evidence indicates the conduct alleged did occur, but that the conduct was justified, lawful and proper.

**Referred for Supervisory Resolution.**

**Training or Policy Recommendation** means that there has been no willful violation but that there may be deficient policies or inadequate training that need to be addressed.

**“Administratively Unfounded/Exonerated”** is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals mistaken/wrongful employee identification, etc, or the employee's actions were found to be justified, lawful and proper and according to training.

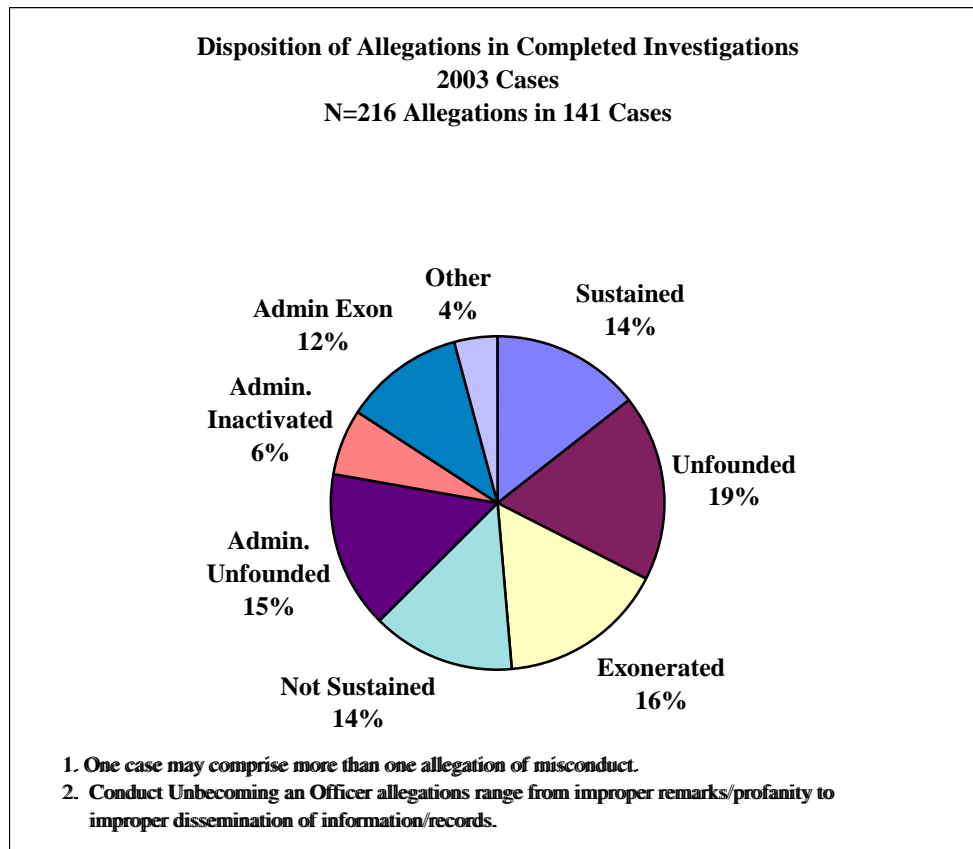
**“Administratively Inactivated”** means that the investigation cannot proceed forward, usually due to insufficient information or the pendency of other investigations. The investigation may be reactivated upon the discovery of new, substantive information or evidence. Inactivated cases will be included in statistics but may not be summarized in this report if publication may jeopardize a subsequent investigation.

## Status of OPA Contacts to Date:

### 2003 Contacts

	December 2003	Jan-Dec 2003
Preliminary Investigation Reports	7	415
Cases Assigned for Supervisory Review	2	79
Cases Assigned for Investigation (IS;LI)	10	185
Cases Closed	8	141*
Commendations	70	861

\*includes 2003 cases closed in 2004



### 2004 Contacts

	May 2004	Jan-Dec 2004
Preliminary Investigation Reports	28	130
Cases Assigned for Supervisory Review	9	25
Cases Assigned for Investigation (IS;LI)	19	85
Commendations	65	313